

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
8

9 DANIEL KIMBALL,

10 Petitioner,

11 vs.

12 STATE OF NEVADA/PALMER, et al.,

13 Respondents.
14

Case No. 3:07-CV-00593-ECR-(VPC)

ORDER

15 The Court instructed Petitioner to file an amended petition for a writ of habeas
16 corpus or face dismissal of this action. Order (#5). Petitioner has not filed an amended petition
17 within the allotted time, and the Court will dismiss the action.

18 Petitioner has submitted a Motion for State to Compel or Default (#7), which is moot
19 because the Court is dismissing this action.

20 IT IS THEREFORE ORDERED that the Motion for State to Compel or Default (#7)
21 is **DENIED**.

22 IT IS FURTHER ORDERED that this action is **DISMISSED** without prejudice for
23 Petitioner's failure to file an amended petition. The Clerk shall enter judgment accordingly.

24 DATED: April 9, 2008

25
26 

27 EDWARD C. REED
28 United States District Judge